

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2326

Chapter 250, Laws of 2002

(partial veto)

57th Legislature
2002 Regular Session

CLIMATE AND RURAL ENERGY DEVELOPMENT CENTER

EFFECTIVE DATE: 7/1/02

Passed by the House February 16, 2002
Yeas 62 Nays 36

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 8, 2002
Yeas 30 Nays 18

BRAD OWEN
President of the Senate

Approved March 29, 2002, with the
exception of section 5, which is
vetoed.

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2326** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

FILED

March 29, 2002 - 3:45 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2326

Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives Linville, Romero, Lantz, Rockefeller, Cooper, Hunt, Simpson, Kagi and Ruderman)

Read first time 02/08/2002. Referred to Committee on .

1 AN ACT Relating to the Washington climate and rural energy
2 development center; adding new sections to chapter 28B.30 RCW; creating
3 a new section; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature makes the following
6 findings:

7 (1) A vast and growing body of research and information about
8 changes to our global, national, and regional climates is being
9 produced by a variety of sources.

10 (2) Much of this research and information holds important value in
11 helping scientists, citizens, businesses, and public policymakers
12 understand how Washington may be affected by these changes.

13 (3) It is in the public interest to support efforts to promote
14 discussion and understanding of the potential effects of climate change
15 on Washington's water supply, agriculture, natural resources, coastal
16 infrastructure, public health, and economy, and to encourage the
17 formulation of sound recommendations for avoiding, mitigating, and
18 responding to those effects.

1 (4) The state should support the establishment of a central
2 clearinghouse to serve as an impartial, unbiased source of credible and
3 reliable information about climate change for the public.

4 NEW SECTION. **Sec. 2.** The definitions in this section apply
5 throughout sections 3 through 5 of this act unless the context clearly
6 requires otherwise.

7 (1) "Center" means the Washington climate and rural energy
8 development center.

9 (2) "Clean energy activities" means: (a) Activities related to
10 renewable resources including electricity generation facilities fueled
11 by water, wind, solar energy, geothermal energy, landfill gas, or
12 bioenergy; (b) programs and industries promoting research, development,
13 or commercialization of fuel cells and qualified alternative energy
14 resources as defined in RCW 19.29A.090; (c) energy efficiency measures
15 or technologies; and (d) technologies designed to significantly reduce
16 the use of or emissions from motor vehicle fuels.

17 (3) "Climate change" means a change of climate attributed directly
18 or indirectly to human activity that alters the composition of the
19 global atmosphere.

20 NEW SECTION. **Sec. 3.** The legislature authorizes the establishment
21 of the Washington climate and rural energy development center in the
22 Washington State University energy program to serve as a central,
23 nonregulatory clearinghouse of credible and reliable information
24 addressing various aspects of climate change and clean energy
25 activities.

26 NEW SECTION. **Sec. 4.** The center shall be funded through grants,
27 and voluntary monetary and in-kind contributions.

28 **NEW SECTION. Sec. 5. (1) The duties of the center may include,*
29 *but are not limited to:*

30 *(a) Collecting and sharing scientific and technological data*
31 *related to climate change;*

32 *(b) Collecting and sharing information which could be used on a*
33 *voluntary basis to respond to potential climate change impacts should*
34 *they occur;*

1 (c) Collecting and sharing information about clean energy
2 activities in the rural areas of the state, including information about
3 state resources available for developing such clean energy
4 opportunities;

5 (d) Advising relevant sectors of prospective commercial
6 opportunities;

7 (e) Studying and advising the legislature on the potential: (i)
8 Impacts of climate change in the state; and (ii) effects of early
9 action by the state, before action by the federal government or other
10 state governments, on the state's competitive position with respect to
11 other states;

12 (f) Accomplishing any other duty assigned to it by the legislature
13 for which adequate funding is provided; and

14 (g) Providing a biennial report to the governor and the appropriate
15 legislative committees by December 31st regarding its operations.

16 (2) The center shall, within available funds, also:

17 (a) Identify key sectors within the state likely to be affected
18 adversely by climate change;

19 (b) Examine and report the feasibility of a carbon storage program
20 for the state by:

21 (i) Evaluating other states' and nations' attempts to establish
22 carbon credit programs, carbon storage programs, carbon storage
23 requirements worldwide, and methods and scientific programs that are
24 used to implement carbon storage programs;

25 (ii) Analyzing other programs in the state of Washington, including
26 the conservation reserve enhancement program, that could facilitate a
27 carbon storage program and a stable carbon storage market;

28 (iii) Analyzing methods to encourage and increase appropriate
29 carbon storage activities; and

30 (iv) Developing and preparing appropriate legislative responses and
31 recommendations; and

32 (c) Publicize mitigation projects and efforts to address climate
33 change that include evaluations of whether those efforts were deemed to
34 be successful.

35 (3) The following agencies and programs will work with the center
36 to assist with the duties under this section: The department of
37 community, trade, and economic development, the department of ecology,
38 the department of transportation, the department of health, the
39 department of fish and wildlife, the department of agriculture, the

1 department of natural resources, and the Washington State University
2 energy program.

3 (4) The legislature may appoint one member from each legislative
4 caucus to serve on a legislative oversight committee for the center.

5 (5) The center shall establish task forces and technical advisory
6 committees, balanced in representation and composed of state and local
7 agencies and interested elected leaders, businesses, labor groups,
8 timber industry groups, agricultural groups, nonprofit organizations,
9 university and college programs, and citizens as necessary to assist in
10 the duties in this section.

11 *Sec. 5 was vetoed. See message at end of chapter.

12 NEW SECTION. **Sec. 6.** This act takes effect July 1, 2002.

13 NEW SECTION. **Sec. 7.** Sections 2 through 5 of this act are each
14 added to chapter 28B.30 RCW.

Passed the House February 16, 2002.

Passed the Senate March 8, 2002.

Approved by the Governor March 29, 2002, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State March 29, 2002.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 5,
3 Engrossed Substitute House Bill No. 2326 entitled:

4 "AN ACT Relating to the Washington climate and rural energy
5 development center;"

6 This bill establishes the Washington Climate and Rural Energy
7 Development Center in the Washington State University energy program.
8 It designates that center as a clearinghouse of credible and reliable
9 information regarding climate change and clean energy activities.
10 Global warming and climate change are issues of profound importance,
11 and I support this bill.

12 However, section 5 of the bill is unduly prescriptive and would
13 have inhibited academic freedom. The Center will be funded entirely by
14 project grants and voluntary contributions. Accordingly, it is
15 appropriate to provide the Center with flexibility in the kinds of
16 grants it receives and activities it pursues.

17 Section 5 also would have mandated that certain state agencies
18 provide assistance to the Center for its activities. However, the bill
19 does not assign specific or measurable tasks to the agencies or provide
20 funding for that assignment.

21 For these reasons, I have vetoed section 5 of Engrossed Substitute
22 House Bill No. 2326.

1 With the exception of section 5, Engrossed Substitute House Bill
2 No. 2326 is approved."